

VARACALLI & HAMRA, LLP

32 BROADWAY, SUITE 1818, NEW YORK, NY 10004

TEL: 646-590-0571, FAX: 646-619-4012

WEB: WWW.VHLLP.COM

January 7, 2020

Hon Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

RE: Perez, et al. v. Sunflower Amsterdam, LLC, et al.
18-cv-5875

Request for Pre-Motion Conference Regarding Defense Counsel's Motion to Withdraw

Dear Judge Ramos,

Our firm represents all Defendants in the above-cited civil action. We write to respectfully request a pre-motion conference pursuant to Your Honor's Individual Rule 2(A)(ii) in anticipation of our firm's motion to withdraw as counsel for all Defendants, or to alternatively be granted leave to file our motion to withdraw without a pre-motion conference and/or for this letter to serve as counsels' motion to withdraw. The reason for this motion is that the Defendants have failed to communicate with counsel for a period of months despite repeated attempts by counsel requesting communication. A final letter was sent to Defendants on December 20, 2019 advising Defendants that counsel would make a motion to withdraw if they did not communicate. Counsel has received no response. Should the Court wish, counsel can email a copy of this letter to chambers for *in camera* review. Defendants' continued failure to return any communications from counsel have rendered our firm unable to continue to represent them. Our firm has conferred with counsel for Plaintiffs who stated that they do not object to our motion to withdraw.

We thank the Court for its time and consideration of this request.

Respectfully Submitted,

/s/DSS

David S. Schwartz, Esq.

cc: All counsel of record (via ECF)

Defendants (via Certified Mail)